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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

FELIPE YANEZ TOLENTINO,

Petitioner,

vs.

MATTHEW KRAMER, Warden,

Respondent.

Case No. CV 07-1389-SVW (DTB)

JUDGMENT

Pursuant to the Order Adopting Findings, Conclusions and Recommendations of  
United States Magistrate Judge,

IT IS ADJUDGED that a conditional writ of habeas corpus is granted as follows:  
Respondent shall afford petitioner a new sentencing hearing unless the California Court  
of Appeal provides petitioner, along with the appointment of counsel, either an untimely  
appeal or an equivalent remedial procedure, so long as the procedure provided permits  
petitioner, with the assistance of appointed counsel, to pursue all direct appeal claims that  
would have been available on a timely direct appeal from his re-sentencing in Los Angeles  
County Superior Court Case No. PA046413.

DATED: 9/21/10



STEVEN V. WILSON  
UNITED STATES DISTRICT JUDGE